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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Jürgen BEIL et al.

Serial No.: 10/551,570

Filed: April 13, 2006

For: Method for the Production of an Illumination
Device and Illumination Device

Examiner: CROWE, David R.
Group Art: 2885

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

SIR:

Applicants request a panel review of the Issues on Appeal in the above-referenced application. The present request is filed concurrently with a Notice of Appeal and a request for a one-month extension of time, and is filed before any Appeal Brief. No claim amendments are submitted with this request.

The review is requested for the reasons set forth on the following pages.

Independent claims 1 and 13 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Publication No. 2003/0156074 ("*Ranganathan*") in view of U.S. Patent No. 6,036,328 ("*Higuchi*") and U.S. Patent No. 6,036,328 ("*Ohtsuki*"). For the following reasons, applicants respectfully assert that all claims of the present application are patentable over the cited reference.

Independent claim 1 was previously amended to incorporate the subject matter of dependent claim 25 (now canceled). Independent claim 13 was previously amended to incorporate the subject matter of dependent claim 26 (now canceled). Amended independent claims 1 and 13 are directed to a method for producing a backlight apparatus for a display, and a backlighting apparatus, respectively, that comprise a luminous area that corresponds in size to the size of the display. As explained in detail below, the combination of the cited art fails to teach or suggest the inventions recited in independent claims 1 and 13.

The Examiner (at pg. 3 of the Final Office Action) acknowledged that "*Ranganathan* fails to teach a backlighting apparatus", and cites *Higuchi* and *Ohtsuki* for this feature. Applicants disagree that the combination of *Ranganathan*, *Higuchi* and *Ohtsuki* teaches the claimed invention.

Ranganathan (paragraph [0014]) discloses "an energy-aware approach to display control that involves hardware, including a plurality of displays with varied power properties, and software that exploits this hardware". According to *Ranganathan*, "[t]he idea is to use energy-aware software control in matching the energy needs associated with one or more applications and their respective visual presentations to particular displays from among the plurality of displays". *Ranganathan* thus teaches a method for display control including a plurality of displays having varying display properties. In the display methodology disclosed in *Ranganathan*, energy-aware software divides the entire display screen into sub-screens and matches the energy requirement that is associated with each sub-screen to a particular display

(see paragraph [0015]). As such, multiple displays may be configured with one panel such as a tiled display panel, where each "tile" is assigned to a particular sub-screen based on the energy consumption requirements for the sub-screen (see paragraph [0057]). Therefore, *Ranganathan* discloses a plurality of displays each having a single backlight OLED or LCD panel. That is, *Ranganathan* clearly teaches that a single sub-screen is back-lit by a single display panel.

Higuchi, discloses light guiding blocks having a decreasing thickness, where one guide block overlaps with another guide block (see col. 4, lines 41-60; FIG. 2). Unlike claims 1 and 13, *Higuchi* fails to teach or suggest the selection of modules of a basic set having four different-sized modules for assembling a luminous area in a modular manner for a backlighting apparatus of a display. Moreover, *Higuchi* fails to teach or suggest the use of four modules or the use of at least two pairs of different-sized modules for a backlighting apparatus of a display. *Higuchi* thus fails to teach or suggest assembling different-sized luminous modules as defined by independent claims 1 and 13.

Ohtsuki discloses one or more LED lamps that emit light into one light-directing plate via a light-incident surface (see Abstract; FIG. 6). However, *Ohtsuki* fails to teach or suggest anything whatsoever with respect to a backlighting apparatus having a plurality of polygonal luminous modules. Consequently, there is nothing in *Higuchi* and *Ohtsuki* to cure the above-noted deficiencies concerning the lack of teachings of assembling different-sized luminous modules.

In contrast, independent claims 1 and 13 are directed to a plurality of individual luminous modules, where the assembled luminous modules together back light one display. Thus, in accordance with the method and system of independent claims 1 and 13, a single display comprising a scaleable backlighting apparatus having a polygonal luminous area which corresponds to the size of the display is assembled from a plurality of individual polygonal luminous modules. In this manner, the assembled luminous modules simultaneously and in

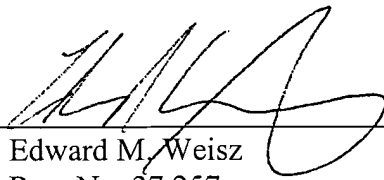
unison back-light a single display. *Ranganathan, Higuchi* or *Ohtsuki*, whether considered alone or in combination with each other, fail to teach or suggest the claimed invention recited in independent claims 1 and 13.

As described at paragraph [0003] and [0022] of the instant published application, the assemblage of individual modules for a backlighting apparatus provides the advantageous technical effect in that a display can be homogenously illuminated. The illumination of a display by assembled luminous modules would not be obvious to the skilled person based on the teachings of *Ranganathan, Higuchi* or *Ohtsuki*.

In view of the foregoing, reconsideration and withdrawal of the rejection of claims 1 and 13 as unpatentable over anticipated by *Ranganathan, Higuchi* and *Ohtsuki* under 35 U.S.C. §103 are requested, and a notice to that effect is earnestly solicited.

Applicant respectfully submits that this application is in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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Dated: February 20, 2009